

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LANCE REBERGER,

Case No. 3:13-cv-00071-MMD-CLB

Petitioner,

ORDER

v.

RENEE BAKER, *et al.*,

Respondents.

On March 23, 2020, the Court granted relief on ground 1 of Lance Reberger's U.S.C. § 2254 petition for a writ of habeas corpus. (ECF No. 104.) The Court directed that Reberger be released from custody within 60 days unless Respondents filed a written notice of election to retry him, and the State thereafter, within 180 days, commenced proceedings toward the retrial. (*Id.*)

Now before the Court is a joint stipulation to alter or amend the judgment. (ECF No. 115.) What the parties actually seek, though, is an extension of the deadline for commencement of the retrial to April 26, 2021. The order granting habeas relief contemplates requests for reasonable modification of the time limits set forth in the order. (See ECF No. 104.) Accordingly, the stipulation to alter or amend the judgment is denied. But the deadline for commencement of retrial is extended to April 26, 2021.

Also before the Court is Reberger's *pro se* motion for extension of time of the retrial date. (ECF No. 116.) However, Reberger is represented by the Federal Public Defender in this case, and a party who is represented by counsel cannot file pleadings or any other documents *pro se* without first obtaining leave of the Court. See LR IA 11-6(a). The *pro se* motion is thus a fugitive document, and will be stricken.

It is therefore ordered that the joint stipulation to alter or amend judgment (ECF No. 115) is denied.

1 It is further ordered that the deadline for commencement of Reberger's retrial is
2 extended to April 26, 2021.

3 It is further ordered that Reberger's *pro se* motion for extension of time (ECF No.
4 116) is stricken.

5 DATED THIS 16th Day of November 2020.

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8 MIRANDA M. DU, CHIEF JUDGE
9 UNITED STATES DISTRICT COURT
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